

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

FILED ENTERED  
LOGGED RECEIVED

JUN 19 2009

Steve Williamson,

:

Plaintiff,

:

v.

: Civil Action No. CCB-07-1147

Officer David Grant, et al.,

:

Defendants.

:

AT BALTIMORE  
CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
NIGHT DROP BOX

**PLAINTIFF'S MOTION TO ALTER OR AMEND JUDGMENT**

COMES NOW Plaintiff, through counsel, and pursuant to Federal Rule of Civil Procedure 61(e) respectfully moves to alter or amend the judgment as follows:

1. On June 9, 2009 this Court issued its Order and memorandum opinion dismissing with prejudice Plaintiff's Section 1983 claim, and declining to exercise jurisdiction over his state law claims – Counts II through V of the Complaint. Accordingly the Court dismissed without prejudice Plaintiff's state law claims.

2. Plaintiff's claims arose out of an incident that occurred on July 8, 2005. Therefore, the three (3) year statute of limitations for his state law claims expired on July 8, 2008. This Court's dismissal of Plaintiff's state law claims, even without prejudice, operates as a bar to his institution of the claims in state court at this time.

3. Therefore, in order to afford Plaintiff an opportunity to have his claims adjudicated in state court, he respectfully requests that this Court amend its June 9, 2009 Order to transfer the state law claims to the appropriate Circuit Court. Plaintiff previously requested this alternative relief on page 18 of his opposition to motion for summary judgment.

-2-

4. On June 9, 2009 undersigned counsel attempted unsuccessfully to reach Glen Marrow, Esquire to discuss the relief requested herein.

WHEREFORE, Plaintiff respectfully prays that his motion to amend judgment be granted in the interest of justice.

Respectfully submitted,

/s/ Jeanett P. Henry  
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*Attorney for Plaintiff*

Certificate of Service

I hereby certify that on this 19<sup>th</sup> day of June 2009 I caused to be served a copy of this motion and proposed order on Glen Marrow, Esquire by electronic mail, facsimile and email.

/s/ Jeanett P. Henry  
Jeanett P. Henry